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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,596	02/23/2004	Michael D. Kotzin	CS24446RA	8311
20280	7590	01/29/2008		
MOTOROLA INC 600 NORTH US HIGHWAY 45 W4 - 39Q LIBERTYVILLE, IL 60048-5343			EXAMINER WON, MICHAEL YOUNG	
			ART UNIT 2155	PAPER NUMBER
			NOTIFICATION DATE 01/29/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/784,596

Applicant(s)

KOTZIN ET AL.

Examiner

Michael Y. Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 2/23/04 & 8/19/05.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the application filed February 23, 2004.
2. Claims 1-20 have been examined and are pending with this action.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Domnitz (US 6,912,398).

INDEPENDENT:

As per **claim 1**, Domnitz teaches a method of a wireless communication device for managing dynamic containers comprising:

detecting a current time of the device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

selecting a particular channel among a plurality of channels associated with a dynamic container of the device based on the current time of the device (see col.4, lines 47-54: "and pushes the information down through the available information channels" and col.7, lines 1-3); and

displaying a unit of content of the particular channel via the dynamic container if an update time of the particular channel corresponds to the current time of the device (see col.8, lines 25-29 & 34-37; and col.10, lines 46-49: "channel being watched is being watched when an advertisement is due to run").

As per **claim 6**, Domnitz teaches a method of a wireless communication device for managing dynamic containers comprising:

detecting a current location of the device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

selecting a particular channel among a plurality of channels associated with a dynamic container of the device based on the current location of the device (see col.4, lines 47-54: "and pushes the information down through the available information channels" and col.7, lines 1-3); and

displaying a unit of content of the particular channel via the dynamic container if an associated location of the particular channel corresponds to the current location of the device (see col.10, lines 15-20: "dynamically updates the area to which information applies").

As per **claim 10**, Domnitz teaches a wireless communication device for managing dynamic containers comprising:

a timing circuit configured to detect a current time of the device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

a processor, coupled to the timing circuit, configured to select a particular channel, among a plurality of channels, associated with a dynamic container of the device based on the current time of the device (see col.4, lines 47-54: "and pushes the information down through the available information channels" and col.7, lines 1-3); and

a display, coupled to the processor, configured to provide a unit of content of the particular channel via the dynamic container if an update time of the particular channel corresponds to the current time of the device (see col.8, lines 25-29 & 34-37; and col.10, lines 46-49: "channel being watched is being watched when an advertisement is due to run").

As per **claim 15**, Domnitz teaches a wireless communication device for managing dynamic containers comprising:

a location circuit configured to detect a current location of the device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

a processor, coupled to the location circuit, configured to select a particular channel, among a plurality of channels, associated with a dynamic container of the device based on the current location of the device (see col.4, lines 47-54: "and pushes

the information down through the available information channels” and col.7, lines 1-3);
and

a display, coupled to the processor, configured to provide a unit of content of the particular channel via the dynamic container if an associated location of the particular channel corresponds to the current location of the device (see col.10, lines 15-20: “dynamically updates the area to which information applies”).

As per **claim 19**, Domnitz teaches a wireless communication system for managing dynamic containers of a remote device comprising:

a processor configured to determine an update time of a particular channel, among a plurality of channels, associated with a dynamic container of the remote device, wherein the update time corresponds to a time period when content of the particular channel is recurringly updated (see col.10, lines 3-6: “can have affixed a GPS/phone to report its location at any instant in time” and lines 46-49: “channel being watched is being watched when an advertisement is due to run”); and

a transceiver, coupled to the processor, configured to provide a unit of content of the particular channel to the remote device before the update time of the particular channel (see col.10, lines 51-55: “transmitted immediately”).

As per **claim 20**, Domnitz teaches a wireless communication system for managing dynamic containers of a remote device comprising:

a processor configured to determine an associated location of a particular channel, among a plurality of channels, associated with a dynamic container of the remote device, wherein the associated location corresponds to a location of a source

associated with the particular channel (see col.10, lines 15-20: "dynamically updates the area to which information applies"); and

a transceiver, coupled to the processor, configured to provide a unit of content of the particular channel to the remote device after the particular channel is determined by the processor (see col.10, lines 51-55: "transmitted immediately").

DEPENDENT:

As per **claims 2 and 11**, which respectively depend on claims 1 and 10, Domnitz further teaches wherein the update time corresponds to a time period when content of the particular channel is recurringly updated (see col.10, lines 3-6 & 46-49).

As per **claims 3 and 12**, which respectively depend on claims 1 and 10, Domnitz teaches further comprising determining the update time by monitoring user interaction with the at least one channel during a predetermined time period (see col.6, lines 63-67 and col.10, lines 46-49).

As per **claims 4 and 13**, which respectively depend on claims 1 and 10, Domnitz teaches further comprising determining the update time by receiving the update time from a user of the device via a user interface (see col.10, lines 3-6).

As per **claims 5 and 14**, which respectively depend on claims 1 and 10, Domnitz teaches wherein comprising obtaining the unit of content of the particular channel before the update time of the particular channel via a transceiver (see col.10, lines 51-55).

As per **claims 7 and 16**, which respectively depend on claims 6 and 15, Domnitz further teaches wherein the associated location corresponds to a location of a source associated with the particular channel (see col.10, lines 46-49).

As per **claims 8 and 17**, which respectively depend on claims 6 and 15, Domnitz teaches further comprising determining the associated location by receiving the associated location from a source associated with the particular location via a transceiver (see col.10, lines 3-6).

As per **claims 9 and 18**, which respectively depend on claims 6 and 15, Domnitz teaches further comprising obtaining the unit of content of the particular channel after the particular channel is selected via a transceiver (see col.10, lines 51-55).

Conclusion

4. For the reasons above claims 1-20 have been rejected and remain pending.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/784,596
Art Unit: 2155

Page 8

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

January 16, 2008